

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**OSCAR THOMAS, III**

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**1:21-cr-14-HSO-RPM-1**

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT  
OSCAR THOMAS, III'S MOTION [12] TO DISMISS AND DISMISSING  
COUNT 1 OF THE INDICTMENT [17] WITHOUT PREJUDICE**

This matter came before the Court for hearing on the Motion [12] to Dismiss filed on December 17, 2020, by Defendant Oscar Thomas, III. After conducting a hearing on January 10, 2022, the Court carefully considered the arguments of counsel and the relevant legal authority. For the reasons more fully stated on the record at the conclusion of the hearing on January 10, 2022, the Court finds that Defendant's Motion should be granted in part and denied in part, and that Count 1 of the Indictment [17] should be dismissed without prejudice.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that, Defendant's Motion [12] to Dismiss is **GRANTED IN PART** as to Count 1 of the Indictment [17] and **DENIED IN PART** as to Count 2.

**IT IS, FURTHER, ORDERED AND ADJUDGED** that, Count 1 of the Indictment [17] is **DISMISSED WITHOUT PREJUDICE**. Count 2 will proceed to trial on January 24, 2022.

**SO ORDERED AND ADJUDGED**, this the 10th day of January, 2022.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE